

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:	§	Case No.: 17-33832
	§	CHAPTER 7
FRETZ CONSTRUCTION COMPANY	§	
Debtor.	§	JUDGE BOHM
	§	

**MOTION OF CHAPTER 7 TRUSTEE FOR AN ORDER  
APPROVING THE SALE OF CERTAIN ASSETS OF THE DEBTOR'S  
ESTATE FREE AND CLEAR OF LIENS, CLAIMS, INTERESTS, AND  
ENCUMBRANCES PURSUANT TO 11 U.S.C. §§ 105 AND 363 AND RELATED RELIEF**

**THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.**

**REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.**

**To the Honorable United States Bankruptcy Judge:**

Rodney D. Tow, chapter 7 trustee ("Trustee") for the bankruptcy estate ("Estate") of the above captioned debtor ("Debtor"), requests the entry of an order approving the sale of certain assets of the Debtor's Estate to Oak Point Partners, LLC ("Oak Point") free and clear of liens, claims, interests, and encumbrances pursuant to 11 U.S.C. §§ 105 and 363, and related relief ("Motion"). In support of the Motion, the Trustee respectfully states as follows:

**Jurisdiction**

1. The Court has jurisdiction over this Motion pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding pursuant to 28 U.S.C. § 157(b)(2)(A). Venue of this

proceeding and this Motion is proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409.

2. The statutory predicates for the relief sought herein are sections 105(a) and 363 of title 11 of the United States Code (“Bankruptcy Code”), as well as Rules 2002 and 6004 of the Federal Rules of Bankruptcy Procedure (“Bankruptcy Rules”).

### **Background**

3. On June 20, 2017, the Debtor filed a voluntary petition for relief under chapter 7 of the Bankruptcy Code.

4. On or about June 21, 2017, the Trustee was appointed as the chapter 7 trustee for the Debtor’s Estate.

5. Since being appointed, the Trustee has administered the Debtor’s Estate for the benefit of its creditors in accordance with the Trustee’s power and duties. The Trustee is now in the process of winding down the administration of this case. To that end, the Trustee is engaged in efforts to ensure that the maximum value of the Estate’s remaining assets is realized, which efforts include pursuing the sale of any remaining assets.

6. The Trustee has determined that there might exist property of the Debtor’s Estate, consisting of known or unknown assets or claims, which have not been previously sold, assigned, or transferred (collectively, “Remnant Assets”). Potential unknown assets might include unscheduled refunds, overpayments, deposits, judgments, claims, or other payment rights that would accrue in the future. The Trustee has determined that the cost of pursuing the Remnant Assets will likely exceed the benefit that the Estate would possibly receive on account of the Remnant Assets.

7. Remnant Asset sales have become commonplace at the close of commercial bankruptcy cases because they allow for additional funds to be brought into the estate, while

simultaneously avoiding the expense and burdens associated with reopening cases for later-discovered assets. Such sales provide a prudent way to fully and finally administer all assets of the Debtor's estate.

8. The Trustee and Oak Point have negotiated an agreement ("Purchase Agreement") for the sale of the Remnant Assets, substantially in the form attached hereto as Exhibit A.

**Requested Relief**

9. By this Motion, the Trustee seeks the entry of an order pursuant to 11 U.S.C. §§ 105 and 363(b), (f), and (m), as well as Bankruptcy Rule 6004, (a) authorizing the Trustee to sell the Remnant Assets free and clear of all liens, claims, interests, and encumbrances; and (b) approving the terms of the Purchase Agreement.

10. The Purchase Agreement generally provides for a purchase price of \$5,000 ("Purchase Price") for all Remnant Assets to be paid by Oak Point to the Trustee for the benefit of the Debtor's Estate.

11. In accordance with the Purchase Agreement, the Remnant Assets do not include (i) cash held by the Trustee for distribution to creditors and professionals; (ii) any and all Goods<sup>1</sup> (e.g., office furniture) of the Debtor; and (iii) the Purchase Price for the Remnant Assets.

12. In the Trustee's business judgment, the Purchase Price represents a fair and reasonable sales price for the Remnant Assets, and represents the highest and best offer for the sale of the Remnant Assets. Additionally, the benefit of receiving immediate payment for the Remnant Assets, which are largely unknown, outweighs the potential benefit of retaining the Remnant Assets. Finally, the Trustee believes that the cost of pursuing the Remnant Assets will

---

<sup>1</sup> The term "Goods" as used herein shall have the meaning ascribed to it under § 9-102(a)(44) of the Uniform Commercial Code.

likely exceed the benefit that the Estate would possibly receive.

**Bidding Procedures**

13. Contemporaneously herewith, the Trustee has filed a notice of the Motion (“Notice”), which establishes a deadline by which objections or responses to this Motion must be filed with the Court (“Response Deadline”).

14. While the Trustee is prepared to consummate the sale of the Remnant Assets to Oak Point pursuant to the terms set forth herein and in the Purchase Agreement, in the event a party other than Oak Point (each, a “Competing Bidder”) wishes to purchase the Remnant Assets, the Trustee requests that the Court approve the following overbid procedures (collectively, “Bidding Procedures”):

- a. Each Competing Bidder who wants to participate in the overbid process must notify the Trustee of her intention to do so in accordance with the Notice on or before the Response Deadline;
- b. the first overbid for the Remnant Assets by a Competing Bidder must be at least \$4,000 more than the Purchase Price, or a total of \$9,000;
- c. each Competing Bidder must submit a Cashier’s Check to the Trustee in the amount of such Competing Bidder’s first overbid at the time such overbid is made;
- d. each subsequent overbid for the Remnant Assets must be in additional increments of \$1,000, unless otherwise agreed by the parties or directed by the Court;
- e. the bidder must purchase the Remnant Assets under the same terms and conditions set forth in the Purchase Agreement, other than the purchase price; and
- f. in the event of an overbid that meets the foregoing conditions, the Trustee will schedule an auction of the Remnant Assets in advance of the hearing date and will request that the Court approve the winning bidder at the auction as the purchaser at the hearing on the Motion.

15. The Trustee believes that the sale of the Remnant Assets in accordance with the terms of the Purchase Agreement, and as provided herein, serves the best interests of the

Debtor's Estate and creditors, as the sale will allow the Trustee to realize additional funds for the benefit of the Estate. Accordingly, the sale to Oak Point should be approved as requested.

**Authority for Requested Relief**

16. Section 363(b)(1) of the Bankruptcy Code provides that “[t]he trustee, after notice and a hearing, may use, sell or lease, other than in the ordinary course of business, property of the estate.” 11 U.S.C. § 363(b)(1). Moreover, section 105(a) of the Bankruptcy Code provides that “[t]he court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of [the Bankruptcy Code].” 11 U.S.C. § 105(a).

17. To approve the use, sale or lease of property outside the ordinary course of business, the Court must find that such sale is supported by the sound business judgment of the debtor or trustee, as the case may be. *See In re Martin (Myers v. Martin)*, 91 F.3d 389, 395 (3d Cir. 1996); *In re Abbott's Dairies of Pa., Inc.*, 788 F.2d 143 (3d Cir. 1986) (requiring good faith purchasing); *Stephens Indus., Inc. v. McClung*, 789 F.2d 386, 391 (6th Cir. 1986); *Comm. of Equity Sec. Holders v. Lionel Corp.*, 722 F.2d 1063 (2d Cir. 1983); *In re Del. & Hudson Ry. Co.*, 124 B.R. 169, 176 (Bankr. D. Del. 1991) (holding that transactions should be approved under section 363(b)(1) when: (a) they are supported by the sound business judgment of a debtor's management; (b) interested parties are provided with adequate and reasonable notice; (c) the sale price is fair and reasonable; and (d) the purchaser is acting in good faith); *In re Ionosphere Clubs, Inc.*, 100 B.R. 670, 675 (Bankr. S.D.N.Y. 1989); and *In re Phoenix Steel Corp.*, 82 B.R. 334, 335 (Bankr. D. Del. 1987) (stating that the elements necessary for approval of a section 363 sale in a chapter 11 case are “that the proposed sale is fair and equitable, that there is a good business reason for completing the sale and the transaction is in good faith.”).

18. A trustee's showing of sound business judgment, in turn, need not be unduly

exhaustive; instead the trustee is “simply required to justify the proposed disposition with sound business reasons.” *In re Baldwin United Corp.*, 43 B.R. 888, 906 (Bankr. S.D. Ohio 1984).

Whether or not there are sufficient business reasons to justify a sale depends upon the facts and circumstances of each case. *See Lionel*, 722 F.2d at 1071. Bankruptcy courts are given substantial discretion in deciding whether to authorize a sale of a debtor’s assets outside of the ordinary course of business. *See In re Chateaugay Corp.*, 973 F.2d 141, 144 (2d Cir. 1992).

19. The Trustee submits that the sale of the Remnant Assets pursuant to the Purchase Agreement represents a prudent and proper exercise of the Trustee’s business judgment under the circumstances, and is in the best interests of creditors of the Debtor’s Estate. Specifically, the Purchase Agreement was negotiated at arm’s length and in good faith, and the Trustee believes that the Purchase Price is reasonable and represents fair value. Indeed, the Trustee is not aware of any future assets or claims that may be liquidated, obtained or otherwise administered, and absent the sale to Oak Point, the Debtor’s Estate would not realize any benefit on account of the Remnant Assets. Therefore, the Trustee respectfully requests that the Court approve the sale of the Remnant Assets to Oak Point.

20. Moreover, based on the foregoing, Oak Point should be deemed a good faith purchaser. Although the Bankruptcy Code does not define “good faith purchaser,” the United States Court of Appeals for the Third Circuit construing section 363(m), has stated that “the phrase encompasses one who purchases in ‘good faith’ and for ‘value’.” *In re Abbott’s Dairies of Pa., Inc.*, 788 F.2d at 147; *see also In re Mark Bell Furniture Warehouse, Inc.*, 992 F.2d 7, 8 (1st Cir. 1993); *In re Willemain v. Kivitz*, 764 F.2d 1019, 1023 (4th Cir. 1985); and *In re Vanguard Oil & Serv. Co.*, 88 B.R. 576, 580 (E.D.N.Y. 1988).

21. Additionally, section 363(f) of the Bankruptcy Code permits a trustee to sell

assets free and clear of all interests which may be asserted against such assets, with any such interests attaching to the net proceeds of the sale, if subject to the rights and defenses of a debtor with respect thereto:

- a. Applicable nonbankruptcy law permits sale of such property free and clear of such interest;
- b. Such entity consents;
- c. Such interest is a lien and the price at which such property is to be sold is greater than the aggregate value of all liens on such property;
- d. Such interest is in bona fide dispute; or
- e. Such entity could be compelled, in a legal or equitable proceeding, to accept a money satisfaction of such interest.

11 U.S.C. § 363(f). As section 363(f) of the Bankruptcy Code is stated in the disjunctive, when proceeding pursuant to section 363(b), it is only necessary to meet one of the five conditions of section 363(f). To the extent that there are interests that may be asserted in the Remnant Assets, the Trustee believes that one or more of the aforementioned conditions have been satisfied.

22. Finally, the Trustee's proposed Bidding Procedures are appropriate and should be approved by the Court. Courts have routinely held that when the sale of assets in bankruptcy is done on a competitive bidding basis, as is proposed herein, it is appropriate to require parties submitting competing bids to submit bids that exceed the existing bid by a specified amount. *See, e.g., In re Financial News Network Inc.*, 931 F.2d 217 (2d Cir. 1991). Oak Point has expended, and will continue to expend, considerable time, money, and energy pursuing the purchase of the Remnant Assets as proposed herein, and has engaged in good faith, arm's length negotiations with the Trustee.

#### **Waiver of Stay of Order**

23. To successfully implement the Purchase Agreement, the Trustee also seeks a

waiver of the fourteen-day stay under Bankruptcy Rule 6004(h).

**Notice**

24. Notice of this Motion has been given to the Debtor, the Office of the United States Trustee, Oak Point, and all parties requesting notice pursuant to Bankruptcy Rule 2002. The Trustee submits, and requests that this Court determine, that such notice is proper and adequate; no further notice is required; and that other and further notice be waived.

WHEREFORE, the Trustee respectfully requests entry of an order authorizing the sale of the Remnant Assets pursuant to the terms of the Purchase Agreement, waiving the fourteen-day stay under Bankruptcy Rule 6004(h), and granting such other and further relief as this Court deems just and proper.

Respectfully submitted,

Dated: September 21, 2018

By /s/ Rodney D. Tow  
Rodney D. Tow, Chapter 7 Trustee  
1122 Highborne Cay Court  
Texas City, TX 77590-1403  
(281) 429-8300

**Certificate of Service**

I hereby certify that a true and correct copy of the foregoing has been served by Certificateofservice.com, on all of the parties on the attached service list, including all parties requesting notice, via either ECF notification, e-mail, or first-class mail, proper postage affixed, on the 21<sup>st</sup> day of September, 2018.

/s/Rodney Tow  
Rodney D. Tow



Label Matrix for local noticing  
0541-4  
Case 17-33832  
Southern District of Texas  
Houston  
Fri Sep 21 11:55:00 CDT 2018  
  
Fretz Construction Company  
8945 Long Point Road  
Houston, TX 77055-3034

Aquinas Companies, LLC  
c/o Joseph Acosta  
4514 Cole Avenue  
Suite 600  
Dallas, TX 75205-4193  
  
Graves Mechanical, Inc.  
5910 Schumacher Lane  
Houston, TX 77057-7188

Fireproof Contractors, Inc.  
c/o Donald W. Gould, II  
Johnson DeLuca Kennedy & Kurisky, P.C.  
4 Houston Center  
1221 Lamar Street, Suite 1000  
Houston, TX 77010-3050  
  
Harris County  
Linebarger Goggan Blair & Sampson LLP  
c/o John P. Dillman  
Post Office Box 3064  
Houston, TX 77253-3064

LMS, Inc. d/b/a Landscape Management Service  
P.O. Box 35747  
Houston, Tx 77235-5747

Lakey Electric Co.  
c/o Peckar & Abramson  
One Riverway  
Ste. 5070  
Houston, TX 77056-1920

Linesbeck Group, LLC  
c/o Marty Coleman  
5220 McKinney Avenue  
Suite 200  
Dallas, TX 75205-3356

PRA Receivables Management, LLC  
PO Box 41021  
Norfolk, VA 23541-1021

Texas Comptroller of Public Accounts  
Rachel Obaldo  
c/o Sherri K. Simpson, Paralegal  
P.O. Box 12548  
Austin, TX 78711-2548

Zimmerman Interests, Inc.  
3410 Montrose Blvd.  
Houston, TX 77006-4329

4  
United States Bankruptcy Court  
PO Box 61010  
Houston, TX 77208-1010

A Affordable Insulators  
17515 Colony Creek Dr.  
Spring, TX 77379-2321

AAA Paymaster Sales & Service  
4660 Beechnut, Suite 209  
Houston, TX 77096-1805

ABC Doors, Inc.  
P.O. Box 20485  
Houston, TX 77225-0485

ACS Flooring Group, Inc.  
1289 N. Post Oak Road, Suite 190  
Houston, TX 77055-7253

AECO Interior Contractors  
P.O.Box 10378  
Houston, TX 77206-0378

AFA Systems, Inc.  
4719 Ingersoll Street  
Houston, TX 77027-6601

Action Parking Area Maint.  
P.O. Box 2144  
Pearland, TX 77588-2144

Action Trucking Company  
P.O. Box 670506  
Dallas, TX 75267-0506

Acton Mobile Industries, LLC  
P.O. Box 758689  
Baltimore, MD 21275-8689

Adams Insurance Services, Inc.  
P.O. Box 7011  
Houston, TX 77248-7011

Alpha Threaded Products  
6426 Long Drive  
Houston, TX 77087-3408

Aluminium Techniques, Inc.  
13302 Redfish Lane  
Stafford, TX 77477-4422

Always In Season, Inc.  
P.O. Box 271502  
Houston, TX 77277-1502

American Door Products  
P.O. Box 55187  
Houston, TX 77255-5187

American Fence Company  
13222 Reeveston Rd.  
Houston, TX 77039-4113

American Fixtures  
P.O. Box 2086  
New Caney, TX 77357-2086

American Life Insurance Corp.  
P.O. Box 82590  
Lincoln, NE 68501-2590

Ameritas Life Ins. Corp.  
P.O. Box 82590  
Lincoln, NE 68501-2590

Anne Whitlock and Michael Skelly  
1001 McKinney St., Suite 700  
Houston, TX 77002-6448

Architectural Floors  
1803 Allen Parkway  
Houston, TX 77019-2504

Architecture Center Houston Foundation  
315 Capitol St., Suite 120  
Houston, TX 77002-2827

Associated Gen. Contractors  
3825 Dacoma Street  
Houston, TX 77092-8717

Athene Annuity and Life Co.  
P.O. Box 29047  
New York, NY 10087-9047

Banks Plastering  
26009 Budde Rd., Bldg. B-100  
Spring, TX 77380-2056

Bayou City Masonry  
6113 Clyde St.  
Houston, TX 77007-2122

Beirne, Maynard & Parsons, LLP  
P.O. Box 27457  
Houston, TX 77227-7457

Big 4 Steel Services, L.P.  
P.O. Box 3307  
Spring, TX 77383-3307

Big City Access Holdings, LLC  
P.O. Box 678014  
Dallas, TX 75267-8014

Big Tex Welding Supply  
6836 Long Drive  
Houston, TX 77087-3416

Brandt Electrical Services, Inc.  
751 Carolina, Suite 400  
Katy, TX 77494-8380

Bruegging Company  
11226 Charles Rd  
Houston, TX 77041-2400

Bugtime Termite & Pest Control  
235 FM 1960 East Bypass  
Humble, TX 77338-3624

Builders Gypsum Supply, LLP  
P.O. Box 731242  
Dallas, TX 75373-1242

Burns DeLatte & McCoy, Inc.  
320 Wescott  
Houston, TX 77007-7027

Burts Construction, Inc.  
26117 Highway 249  
Tomball, TX 77375-7356

Buyers Barricades  
P.O. Box 7498  
Fort Worth, TX 76111-0498

CKC Steel Erectors, LLC  
P.O. Box 841007  
Houston, TX 77284-1007

(p)CLS TECHNOLOGY INC  
5206 EAST 3RD STREET  
KATY TX 77493-2112

COASTAL SUPPLIES & SERVICES CORPORATION  
7700 EAGLE LANE  
SPRING, TEXAS 77379-3183

CP Applications, LLC  
P.O. Box 590826  
Houston, TX 77259-0826

Chamberlin Houston, LLC  
7510 Langtry  
Houston, TX 77040-6629

Champion Rentals, Inc.  
6903 North Shepherd  
Houston, TX 77091-2523

Circle Saw Builders Supply  
2510 Ella Boulevard  
Houston, TX 77008-2712

Coastal Supplies and Services, Corp.  
7700 Eagle Lane  
Spring, TX 77379-3183

Commercial Tile & Marble  
11226 Charles Rd.  
Houston, TX 77041-2400

Concrete Cleaning, Inc.  
P.O. Box 73452  
Houston, TX 77273-3452

Conroe Welding Supply, Inc.  
415 South Frazier  
Conroe, TX 77301-5098

Construction Ecoservices  
P.O. Box 672987  
Houston, TX 77267-2987

Core Associates, LLC  
c/o Merrill Lynch  
105 South Bedford Road  
Mount Kisco, NY 10549-3441

Crawford Electric Supply Company, Inc.  
c/o Andrews Myers, PC  
Attn: Lisa M. Norman  
1885 Saint James Place, 15th Floor  
Houston, Texas 77056-4176

Cristo Rey Jesuit College Preparatory School  
6700 Mount Carmel Street  
Houston, TX 77087-6624

D & H Masonry  
5719 Edward Drive  
Houston, TX 77032-2611

David Morris + Architect  
1211 Hardwood Lane  
College Station, Texas 77840-3639

David Morris, Architect  
5707 Reamer  
Houston, TX 77096-2936

Diversified Plastering  
15250 Sellers Road  
Houston, TX 77060-4516

Don F. Russell, P.C.  
4635 Southwest Freeway, Suite 610  
Houston, TX 77027-7105

Door King  
2209 Hurfus Dr.  
Houston, TX 77092-8109

Dow Pipe & Fence Supply Co.  
1802 Preston Road  
Pasadena, TX 77503-2919

ESC Consultants, Inc.  
P.O. Box 691447  
San Antonio, TX 78269-1447

Eickhof Columbaria, Inc.  
P.O. Box 537  
Crookston, MN 56716-0537

Empire Steel Erectors, LP  
2227 Wilson Road  
Humble, TX 77396-4415

Episcopal Health Foundation  
500 Fannin Street, Suite 300  
Houston, TX 77002-3159

Excel Carpets, Inc.  
511 Rankin Circle North  
Houston, TX 77073-4311

Fast Track Specialties, Inc.  
7807 Bluff Point Drive, Suite 180  
Houston, TX 77086-1782

Fastenal Company  
P.O. Box 978  
Winona, MN 55987-0978

Fireproof Contractors, Inc.  
P.O. Box 550107  
Houston, TX 77255-0107

First Colony Church of Christ  
2140 First Colony Blvd.  
Sugar Land, TX 77479-4299

Forney Construction  
8945 Long Point Rd., Suite 200  
Houston, TX 77055-3036

Frank H. Holcomb, P.C.  
1330 Post Oak Blvd., Suite 2930  
Houston, TX 77056-3234

GTS Window Coverings LLC  
11423 Sagegrove Lane  
Houston, TX 77089-4623

Gainsborough Waste  
P.O. Box 4509-2  
Houston, TX 77210-4509

Graco Interests, Inc. d/b/a Graco Mechanical  
c/o Jeff Carruth  
Weycer, Kaplan, Pulaski & Zuber, P.C.  
3030 Matlock Rd., Suite 201  
Arlington, TX 76015-2936

Graco Mechanical  
5910 Schumacher Lane  
Houston, TX 77057-7188

Graves Mechanical  
5941 Schumacher Lane  
Houston, TX 77057

Gulf Coast Erectors, Inc.  
5314 Spencer Highway  
Pasadena, TX 77505-1514

Gulf Storage Partners, LP  
P.O. Box 791003  
Baltimore, MD 21279-1003

H.G. Fire Systems, L.P.  
c/o The Mendel Law Firm, L.P.  
1155 Dairy Ashford, Suite 104  
Houston, TX 77079-3011

HG Fire Systems, LP  
15102 Sommermeyer, Suite 100  
Houston, TX 77041-5366

Harris County et al.  
c/o John P. Dillman  
Linebarger Goggan Blair & Sampson LLP  
P.O. Box 3064  
Houston, Tx 77253-3064

High Quality Structural  
10322 Chatteron Drive  
Houston, TX 77043-3335

Hilti, Inc. TX  
Dept 0890  
P.O. Box 120001  
Dallas, TX 75312-0890

Home Depot  
Dept 32-2500754670  
P.O. Box 9001043  
Louisville, KY 40290-1043

(p)IPFS CORPORATION  
30 MONTGOMERY STREET  
SUITE 1000  
JERSEY CITY NJ 07302-3865

IPlumb  
308 W. Pasadena Frwy  
Pasadena, TX 77506-1240

Iklo Glass  
47 Lake Sterling Gate Dr.  
Spring, TX 77379-7205

Image Stone Design, Inc.  
3118 Golfcrest Blvd.  
Houston, TX 77087-2406

Impact Stone Design, Inc.  
3118 Golfcrest Boulevard  
Houston, TX 77087-2406

Industrial Matt Co.  
P.O. Box 896  
Clute, TX 77531-0896

Internal Revenue Service  
Centralized Insolvency Operations  
P.O. Box 7346  
Philadelphia, PA 19101-7346

Iron Access  
3815 Hollister St.  
Houston, TX 77080-1848

Iron Works Doors  
4603 Bridgeview Lane  
Spring, TX 77388-4304

Jarrar & Company, Inc.  
9119 Emmott Road  
Houston, TX 77040-3513

KGI  
11251 NW Freeway, Suite 450  
Houston, TX 77092-6553

Kiley Advisors, LLC  
99 Deteringm Suite 104  
Houston, TX 77007-8225

Kirksey  
6909 Portwest Drive  
Houston, TX 77024-8010

Klinger Specialties Direct, Inc.  
3300 East TC Jester Blvd.  
Houston, TX 77018

Kronberg's Flags/Flagpoles  
7106 Mapelridge  
Houston, TX 77081-6626

LMS  
c/o Jeffrey B. Kaiser  
Kaiser, P.C.  
2211 Norfolk, Suite 528  
Houston, TX 77098-4055

Lakey Electric Co.  
P.O. Box 40279  
Houston, TX 77240-0279

Lamm & Smith, P.C.  
3730 Kirby Drive, Suite 650  
Houston, TX 77098-3930

Landscape Art, Inc.  
2303 Dickinson Ave.  
League City, TX 77573-8209

Larry Minns c/o Grent Dunwoody  
2500 Tanglewilde Ste. 150  
Houston, TX 77063-2183

Larry Minns, Landscape Architect  
7670 S. FM 1486 Road  
Montgomery, TX 77316-3822

Laser Acoustics, Inc.  
11391 Meadowglen Lane, Suite K  
Houston, TX 77082-2648

Leon's Concrete  
6641 Midfield Drive  
Houston, TX 77092-5717

Letsos Company  
P.O. Box 36927  
Houston, TX 77236-6927

Light  
4202 Richmond Avenue  
Houston, TX 77027-6814

Lighthouse of Houston  
3602 West Dallas  
Houston, TX 77019-1704

Linden-Kranz  
1931 Wilderness Point Rd  
Kingwood, TX 77339-2240

Livingston Construction Services  
719 Turkey Creek  
Livingston, TX 77351-8245

Lone Star Overnight  
6500 River Place Blvd., Bldg#2, Ste  
Austin, TX 78730-1155

Lone Star Overnight  
P.O. Box 149225  
Austin, TX 78714-9225

Lowe's Commercial Services 4847  
P.O. Box 530954  
Atlanta, GA 30353-0954

Lowery Masonry, LLC  
P.O. Box 750516  
Houston, TX 77275-0516

Luebe Jones, Inc. d/b/a Avadek  
c/o Charles E. Lobb Jr.  
Murray Lobb, PLLC  
700 Gemini, Suite 115  
Houston, TX 77058-2735

MGC, Inc.  
6800 Sands Point Drive  
Houston, TX 77074-3730

MHC Consulting, Inc.  
P.O. Box 9057  
Spring, TX 77387-9057

Marchal/Stevenson Elev. Co.  
11050 W. Little York, Bldg. E  
Houston, TX 77041-5056

McLemore Bldg. Maintenance, Inc.  
110 Fargo Street  
Houston, TX 77006-2097

Melton & Melton, L.L.P.  
6002 Rogerdale, Suite 200  
Houston, TX 77072-1660

Meyerland Glass & Mirror Co.  
12922 Murphy Road  
Stafford, TX 77477-3904

Millis Equipment  
931 Pheasant Valley Drive, Suite 240  
Missouri City, TX 77489-1317

Millis Equipment Rental LLC  
c/o Josh Judd  
Andrews Myers, PC  
1885 Saint James Place, 15th Floor  
Houston, Texas 77056-4175

Minuteman Press Downtown  
2117 Chenevert Street, Suite A  
Houston, TX 77003-5845

Mobile Mini, Inc.  
P.O. Box 7144  
Pasadena, CA 91109-7144

Montalbano Lumber  
1309 Houston Avenue  
Houston, TX 77007-6296

Naegeli Transportation  
7201 Easthaven Blvd.  
Houston, TX 77017-6597

National Construction Rentals  
16207 Aldine Westfield  
Houston, TX 77032-1307

National Terrazzo Tile & Marble, Inc.  
5728 HoodStreet  
Houston, TX 77023-5998

Occupational Health Centers of Southwest  
P.O. Box 9005  
Addison, TX 75001-9005

Overhead Door Company of Houston  
11533 South Main  
Houston, TX 77025-5987

Pampered Lawns, Inc.  
5602 Centralcrest  
Houston, TX 77092-7096

Peak Roofing, Inc.  
P.O. Box 70768  
Houston, TX 77270-0768

Pella Products of Houston  
8700 Fallbrook Drive  
Houston, TX 77064-3317

Pinnacle Structural Engineers  
3120 Southwest Freeway, Suite 410  
Houston, TX 77098-4510

Precision Demolition, LLC  
5909 Gardendale Drive  
Houston, TX 77092-7019

Preferred Foodservice Design Supply, Inc  
3605 Willowbend Blvd., Suite 575  
Houston, TX 77054-1196

Pyrotex Systems, Inc.  
P.O. Box 1639  
Alvin, TX 77512-1639

Quality Fasteners, Inc.  
15023 Willis Street  
Houston, TX 77032-2723

R & M Service., Inc.  
918 W. Donovan  
Houston, TX 77091-5653

Ram Tool & Supply, Inc.  
P.O. Box 743487  
Atlanta, GA 30374-3487

Raven Mechanical, LP  
1618 Buschong  
Houston, TX 77039-1207

Raven Mechanical, LP  
c/o Andrews Myers, PC  
Attn: Lisa M. Norman  
1885 Saint James Place, 15th Floor  
Houston, Texas 77056-4176

Remedy Roofing, Inc.  
21925 Franz Road, Suite 402  
Katy, TX 77449-3723

Renfrow Metalsmiths  
923 Wakefield Drive  
Houston, TX 77018-6203

Renfrow Metalsmiths, LLC  
c/o Andrews Myers, PC  
Attn: Lisa M. Norman  
1885 Saint James Place, 15th Floor  
Houston, Texas 77056-4176

Rob Pelletier Construction, Inc.  
12402 Eastex Freeway  
Houston, TX 77039-4916

Rosslyn Building Systems, Inc.  
10803 Donna  
Houston, TX 77041-5101

Ryder Insulation, Inc.  
5810 N. Houston Rosslyn Road  
Houston, TX 77091-3402

SKAI Foundation  
c/o Aaron J. Power  
Porter Hedges LLP  
1000 Main Street, 36th Floor  
Houston, TX 77002-6341

Sani-Weld, Inc.  
1614 Isom  
Houston, TX 77039-5310

Santiago Iron Works, Inc.  
2237 Wisconsin Street  
Dallas, TX 75229-2031

Scaffold Solutions, Inc.  
P.O. Box 590733  
Houston, TX 77259-0733

Schindler Elevator Corp.  
2105 Silber Road, Suite 100  
Houston, TX 77055-2653

Sherwin-Williams  
2821 Gulf Freeway  
Houston, TX 77003-5332

Skai Foundation  
6 Glenshen Way  
Spring, TX 77382-6007

Southeast Texas Mobility  
580 T.C. Jester  
Houston, TX 77007-1127

Southern Tile & Terrazzo, Inc.  
6829 Lindbergh  
Houston, TX 77087-5118

Stainless Steel Custom Fabricators, Inc.  
P.O. Box 450132  
Houston, TX 77245-0132

(p)TEXAS COMPTROLLER OF PUBLIC ACCOUNTS  
REVENUE ACCOUNTING DIV - BANKRUPTCY SECTION  
PO BOX 13528  
AUSTIN TX 78711-3528

Steelco, Inc.  
11210 Steeplecrest Drive, Suite 260  
Houston, TX 77065-4988

Steven R. Hill Const. Co., Inc.  
8534 Rayson Road  
Houston, TX 77080-3625

Sun Coast Resources, Inc.  
P.O. Box 202603  
Dallas, TX 75320-2603

Sunbelt Rentals  
1275 W Mound St.  
Columbus, OH 43223-2213

Sunbelt Rentals  
P.O. Box 409211  
Atlanta, GA 30384-9211

Sunset Glass Tinting  
3760 Greenbriar Drive  
Stafford, TX 77477-3924

Superior Automatic Fire System  
94 White Road  
Houston, TX 77047-6008

Synchrony Bank  
c/o PRA Receivables Management, LLC  
PO Box 41021  
Norfolk VA 23541-1021

T.A. Construction Services LLC  
21912 Mueschke Road, Building A  
Tomball, TX 77377-3519

T.A.S. Commercial Concrete Construction  
19319 Oil Cente Blvd.  
Houston, TX 77073-3354

T.W. Robinson, Inc.  
16757 Squyres Rd., Suite 100  
Spring, TX 77379  
TDC Waterproofing and Restoration, LLC  
4417 Campbell Rd.  
Houston, TX 77041-9102

TD Industries  
13850 Diplomat Drive  
Dallas, TX 75234  
( 75234-8812

TLS Trucking & Contracting, Inc.  
20910 Hunters Creek Way  
Hockley, TX 77447-7091

TNTMC  
P.O. Box 55544  
Houston, TX 77255-5544

Texas Comptroller of Public Accounts  
c/o Office of the Attorney General  
Bankruptcy - Collections Division MC-008  
PO Box 12548  
Austin TX 78711-2548

Texas Mutual Insurance Company  
6210 E. Highway 290  
Austin, TX 78723-1098

Texas Mutual Insurance Company  
P.O. Box 841843  
Dallas, TX 75284-1843

Texas Outhouse, Inc.  
P.O. Box 4509-1  
Houston, TX 77210-4509

Texas Workforce Commission  
Labor Law Payment Division  
P.O. Box 684483  
Austin, TX 78768-4483

Texas Workforce Commission  
Regulatory Integrity Division - SAU  
Room 556  
101 E. 15th Street  
Austin, TX 78778-0001

Thomas Printworks  
P.O. Box 740967  
Dallas, TX 75374-0967

Thomas Reprographics, Inc.  
Thomas Printworks  
600 North Central Expressway  
Richardson, TX 75080-5316

Tobin & Rooney, Inc.  
P.O. Box 6873  
Houston, TX 77265-6873

Tobin & Rooney, Inc.  
c/o Andrews Myers, PC  
Attn: Lisa M. Norman  
1885 Saint James Place, 15th Floor  
Houston, Texas 77056-4176

Triple-S Steel Supply Company  
Intsel Steel Distributors  
11310 West Little York  
Houston, TX 77041-4917

Triple-S Steel Supply Company  
P.O. Box 21119  
Houston, TX 77226-1119

US Trustee  
Office of the US Trustee  
515 Rusk Ave  
Ste 3516  
Houston, TX 77002-2604

Underwood Sheetmetal, Inc.  
P.O. Box 70768  
Houston, TX 77270-0768

VR Special Services  
P.O. Box 12958  
Houston, TX 77217-2958

Vaughn Construction Company  
10355 Westpark Dr.  
Houston, TX 77042-5312

Vernon Masonry, Inc.  
P.O. Box 878  
Humble, TX 77347-0878

W & W Telephone Co., Inc.  
P.O. Box 576  
Tomball, TX 77377-0576

Western Specialty Contractors of America  
8813 Fairbanks N. Houston Road  
Houston, TX 77064-6802

Western Waterproofing Company of America  
d/b/a Western Specialty Contractors of A  
1637 North Warson Road  
St Louis, MO 63132-1027

Williams Scottsman, Inc  
P.O. Box 91975  
Chicago, IL 60693-1975

Winstead PC  
Attn: Accounts Receivables  
2728 N. Harwood Street  
Dallas, TX 75201-1743

Young & Sons Drywall, LP  
P.O. Box 550683  
Houston, TX 77255-0683

Ziegler Cooper Architects  
600 Travis, Suite 1200  
Houston, TX 77002-3009

Mike Jarrar Jarrar & Company, Inc.  
9119 Emmott Rd.  
Houston, TX 77040-3513

Rodney D Tow  
Rodney Tow, PLLC  
1122 Highborne Cay Court  
Texas City, TX 77590-1403

Trent L Rosenthal  
Trent L Rosenthal, P.L.L.C.  
675 Bering  
Suite 150  
Houston, TX 77057-2188

(p)WILLIAM G WEST P C CPA  
12345 JONES ROAD  
SUITE 214  
HOUSTON TX 77070-4959

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

CLS Technology, Inc.  
P.O. Box 1066  
Katy, TX 77492-1066

IPFS Corporation  
30 Montgomery Street  
Suite 1000  
Jersey City, NJ 07302

State Comptroller of Public Accounts  
Revenue Accounting Div - Bankruptcy Sec  
P.O. Box 13528  
Austin, TX 78711-3528

William G West  
William G. West, P.C., C.P.A  
12345 Jones Road  
Suite 214  
Houston, TX 77070

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)B & D Contractors, Inc.

(u)Crawford Electric Supply Company, Inc

(u)First Colony Church of Christ

(u)Raven Mechanical, L.P.

(u)SKAI Foundation

(u)Scaffold Solutions, Inc.  
William F. Harmeyer & Associates, PC  
7322 Southwest Freeway  
Suite 510  
Houston

(u)Tobin & Rooney, Inc.

(d)PRA Receivables Management, LLC  
PO Box 41021  
Norfolk, VA 23541-1021

(d)Zimmerman Interests, Inc.  
3410 Montrose Blvd.  
Houston, TX 77006-4329

End of Label Matrix  
Mailable recipients 214  
Bypassed recipients 9  
Total 223